

"Federation Corner" column
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County Council report card

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One of the responsibilities we are given in our republic is to periodically choose citizens from among our ranks to represent us in conducting the business of government. And in Montgomery County, the nine individuals we choose to represent us on the County Council make many important decisions that affect the quality of our lives. So, it is appropriate we evaluate the actions taken by the current Council before we go to the polls on Primary Day, September 12, to once again select candidates from each party that we think are worthy to represent us. It is a time for county residents to consider filling out a Council report card.

The polls indicate that voters have focused on two key issues in this election: growth and special interest influence over the county government. Since developable land is our greatest natural resource in Montgomery County, the two are issues are inextricably linked. Voters must decide for themselves whether they believe our elected officials have made decisions in the best public interest or in the interest of special interest campaign contributors.

Why does this report card focus on the Council? Because the members of Council are responsible for most of the county's land use related decisions. They approve the master plans for each of our communities, they must approve the Executive's proposed growth plan, and they alone approve rezoning of properties and any changes to building standards in specific zoning categories.

So, what land use related decisions has the current Council made that affect all of us? A majority of members voted to eliminate the Annual Growth Policy, a process that had been in place for decades that allowed us to pace the rate of growth and direct it where it could best be accommodated. Left in its place are two flawed tests to be met before the Planning Board can approve new development: one for schools, the other for traffic.

The schools test lists the Montgomery County Public School (MCPS) maximum acceptable student enrollment for each county school, which is based on program capacity of the various classrooms. But the test then establishes another higher set of capacity figures to be used by the Planning Board in approving new housing, numbers based on the square footage of classrooms. For instance, MCPS numbers may show the facilities in a science lab can only handle 24 students, while the test for new development might allow up to 30 students for that classroom based on size alone. The FY'06 growth test figures show every county school had enough remaining capacity through fall 2010 to allow approval of additional housing in all cluster areas (with only Blake, Magruder and Wooton needing to borrow capacity from adjacent high schools). But, MCPS projected that 21 elementary, 2 middle and 10 high schools would exceed their capacity during the same period.

The traffic capacity test is similarly flawed. It allows new development to be approved even if predicted to generate more traffic than can be handled by nearby roads, because the formula allows a developer to "buy down" the number of vehicle trips generated by a project by providing things like bike racks, or shelters at bus stops near a proposed new development. A Park and Planning survey released in July found one in five county intersections with signal lights had more traffic than could be handled in a.m. or p.m. rush hours, or both. Yet this Council approved changes to master plans that could add up to 3,400 new dwelling units in downtown Bethesda, and more than 6,300 in the Shady Grove Metro station area. The 2000 census found that only 30% of the region's residents living within a half mile of a Metro station

regularly use mass transit for their daily commute, so we can guess the impact that 70% of new "smart growth" area residents driving private vehicles will have on traffic.

MCCF asked this Council to close the loophole in the Moderately Priced Dwelling Unit (MPDU) law that allowed developers to pay a fee in lieu of providing the required affordable units in new construction. One hundred and four MPDUs were bought out in six planned projects during the first two years of this Council, yet a majority of members voted in November 2004 to leave the buyout in place and at the same time complained about the lack of affordable housing in the county. These same members approved the County Executive's economic development plan that calls for creation of new jobs at twice the rate of new housing, a move that will attract new workers to a county with no housing for them, increasing market demand and likely driving home prices higher.

On a related issue, the Council was slow in addressing the problem of developers violating their approved project plans (nine instances have been verified to date). They finally responded when the story broke in the media, more than a year after Clarksburg area residents notified members of the problem at the Town Center project in their community.

This report card is not posed as a rebuke of all Council members but as a suggestion that here, in one of the ten richest counties in the nation, we might be doing a better job of balancing growth with the provision of facilities and services necessary to sustain the quality of life. Our Adequate Public Facilities Ordinance, which requires that infrastructure be able to accommodate new development before it is approved, is not being aggressively enforced. Traffic gridlock is as bad now as when this Council was sworn in. And, by the end of the last school year there were 84 more classroom trailers in school yards than when this Council took office.

Similar to the note that many students have received on their report cards, an apt evaluation of this Council might be that they are "bright, but did not work up to their potential."